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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Guerra

1 Amend C.S.H.B. No. 1 (house committee printing) as follows:

2 (1) In Article I of the bill, add the following
3 appropriately numbered rider after the appropriations to the
4 Facilities Commission (page I-49):

5 _____. Report on Leasing State Property for Private Use. (a)
6 Out of the funds appropriated above, the Texas Facilities
7 Commission shall conduct a study to assess the feasibility of
8 leasing to artists for the practice and performance of their arts
9 available spaces in state agency buildings or on state agency
10 property.

11 (b) In conducting the study, the Texas Facilities
12 Commission shall consider with respect to buildings or property of
13 state agencies:

14 (1) the types of spaces in the buildings or on the
15 property that are appropriate for leasing;

16 (2) the location of each building or property with a
17 space identified as potentially available for lease;

18 (3) the times each identified space would be available
19 for lease;

20 (4) the persons to whom each identified space may be
21 leased;

22 (5) any disadvantages to leasing each identified
23 space, including sensitive surroundings or information that may be
24 at risk during the lease;

25 (6) the fair market value for leasing each identified
26 space;

27 (7) any tax implications for accepting a lease payment
28 from a private business for private use of each identified space;

29 (8) the use limitations that may need to be included in

1 a lease agreement for each identified space;

2 (9) security measures that hinder or enhance the
3 availability or value of each identified space; and

4 (10) any other issue that would negatively impact or
5 prohibit leasing each identified space.

6 (c) The study must identify:

7 (1) the criteria used to determine the feasibility of
8 leasing each space identified as available for lease;

9 (2) the measures instituted to avoid viewpoint bias or
10 other possible biases in the selection of a lease holder;

11 (3) the authorized uses of lease income by state
12 agencies to benefit each agency offering space for lease; and

13 (4) the reasons a state agency would be authorized to
14 decline to lease space at the agency.

15 (d) In conducting the study, the Texas Facilities
16 Commission shall coordinate with the Texas Commission on the Arts.

17 (e) Not later than December 2, 2024, the Texas Facilities
18 Commission shall submit to each member of the legislature a report
19 that includes the results of the study conducted under this rider
20 and any recommendations of the commission related to the study and
21 statutory changes necessary to authorize leasing space to artists
22 for the practice and performance of their arts at state agencies and
23 public institutions of higher education.

24 (2) In Article III of the bill, add the following
25 appropriately numbered rider after the appropriations to the Higher
26 Education Coordinating Board (page III-65):

27 ___. Report on Leasing Property of Public Institutions of
28 Higher Education for Private Use. (a) Out of funds appropriated
29 above, the Texas Higher Education Coordinating Board shall conduct
30 a study to assess the feasibility of leasing to artists for the
31 practice and performance of their arts available spaces in

1 buildings or property of public institutions of higher education in
2 this state.

3 (b) In conducting the study, the Texas Higher Education
4 Coordinating Board shall consider with respect to buildings or
5 property of public institutions of higher education in this state:

6 (1) the types of spaces that are appropriate for
7 leasing;

8 (2) the location of each building or property with a
9 space identified as potentially available for lease;

10 (3) the times each identified space would be available
11 for lease;

12 (4) the persons to whom each identified space may be
13 leased;

14 (5) any disadvantages to leasing each identified
15 space, including sensitive surroundings or information that may be
16 at risk during the lease;

17 (6) the fair market value for leasing each identified
18 space;

19 (7) any tax implications for accepting a lease payment
20 from a private business for private use of each identified space;

21 (8) the use limitations that may need to be included in
22 a lease agreement for each identified space;

23 (9) security measures that hinder or enhance the
24 availability or value of each identified space; and

25 (10) any other issue that would negatively impact or
26 prohibit leasing each identified space.

27 (c) The study must identify:

28 (1) the criteria used to determine the feasibility of
29 leasing each space identified as available for lease;

30 (2) the measures instituted to avoid viewpoint bias or
31 other possible biases in the selection of a lease holder;

1 (3) the authorized uses of lease income by public
2 institutions of higher education to benefit each institution
3 offering space for lease; and

4 (4) the reasons a public institution of higher
5 education would be authorized to decline to lease space at the
6 institution.

7 (d) In conducting the study, the Texas Higher Education
8 Coordinating Board shall coordinate with the Texas Commission on
9 the Arts.

10 (e) Not later than December 2, 2024, the Texas Higher
11 Education Coordinating Board shall submit a report to each member
12 of the legislature that includes the results of the study conducted
13 under this rider and any recommendations of the board related to the
14 study and statutory changes necessary to authorize leasing space to
15 artists for the practice and performance of their arts at public
16 institutions of higher education in this state.